

4VAC15-270-10

Game: Firearms: Size rifles for hunting bear and deer.

Summary:

The proposal is to include elk in the list of species which must be hunted with rifles not less than 23 caliber and removes the 23 caliber restriction for humanely dispatching a bear, elk, or deer in circumstances where a smaller caliber weapon may be more appropriate.

Proposed Language of Amendment:

4VAC15-270-10. Size rifles for hunting bear, elk, and deer.

It shall be unlawful to use a rifle of a caliber less than 23 for the hunting ~~or killing~~ of bear, elk, and deer.

Rationale:

With the passage of § 29.1-305.01 and the associated creation of a Special Elk Hunting License within the Elk Management Zone (EMZ), separate regulations needed to be established for elk hunting outside and within the EMZ. As a result of that separation, certain regulations that previously applied to both deer and elk are no longer applicable to elk. Additional language is needed to include elk in those regulations. Removing the word “kill” from this regulation will allow the public and law enforcement personnel to humanely dispatch severely injured or diseased animals with weapons less than 23 caliber. It will also provide clarity that such weapons are lawful for management activities authorized by the Department.